

Baroness Falkner
Chair, Equality and Human Rights Commission
Fleetbank House
2-6 Salisbury Square
London EC4Y 8JX

17 October 2021

Dear Baroness Kishwer Falkner

Thank you for publicly stating that the attacks on Professor Kathleen Stock at Sussex University are disgraceful, and for calling on other institutions to follow Sussex University's lead to stop these attacks on freedom of speech.

The EHRC has previously published guidance on freedom of expression in higher education.¹ However this is not just an issue of freedom of expression, but of harassment and discrimination on the basis of characteristics protected under the Equality Act: sex, belief and sexual orientation. Universities have created an intimidating, hostile, degrading and humiliating environment for staff and students who recognise that sex matters.

Sex Matters has logged 80 news reports of similar bullying, harassment and no-platforming incidents across UK Universities including Edinburgh, Bath Spa, Kings College London, Oxford, Reading, University College London, Essex, Liverpool John Moores, Bristol, the Open University, Durham, York, Huddersfield, Exeter, Imperial and Cambridge Universities which have occurred over the past five years.² And we know of many other cases which have not been reported in the media. Professor Stock herself has compiled a set of anonymous testimonies from academics facing harassment and discrimination at UK Universities because of their beliefs on sex and gender—compounded in most cases by their sex and in some cases by their sexual orientation.³

The review by Akua Reindorf of the events at Essex University highlighted a culture of fear, enabled by policies which violate the Equality Act, and a system of institutionalised

¹ <https://bit.ly/EHRC12>

² <https://sex-matters.org/academics-targeted/>

³ <https://medium.com/@kathleenstock/are-academics-freely-able-to-criticise-the-idea-of-gender-identity-in-uk-universities-67b97c6e04be>

discrimination and intimidation by “trans rights activists” within the university.⁴ There is ample evidence that this is not limited to Essex University

It is now clear that many university leaders lack the courage or capacity to address the issue, which they have allowed to continue for several years in the face of mounting public criticism. Following the release of the Reindorf review, the Vice-Chancellor of Essex (Professor Anthony Forster) issued an extraordinary apology for the manner of undertaking the review itself, for releasing it “during Pride Month” and to “anyone having been made to feel unsafe as a result of the Review.”⁵ In 2019 Imperial College London vice-provost apologised for “liking” tweets by the organisation Transgender Trend. The London School of Economics has taken no public action after the Department of Gender Studies denounced the Gender Critical Research Network established at the Open University, nor after it emerged that the department had promoted a student essay which fantasized about stabbing “TERFs”.⁶

Almost all universities in the UK remain members of the Stonewall Champions Scheme, which promulgates misleading information about the Equality Act. After the EHRC announced it was intervening in the Forstater case in support for freedom of belief, Stonewall together with other members of the LGBT consortium wrote to you castigating that decision.⁷ Stonewall have not revised their guidance in light of the Forstater judgment which recognised that believing that sex is real and important is a protected characteristic. The Athena Swan scheme encourages Higher Education Institutions to monitor gender identity not sex.

Universities that have chosen to remain committed members of the Stonewall scheme following the Reindorf Review have shown that they will continue to discriminate against academics who uphold a distinction between sex and gender, especially those who are female.

We call on the EHRC to undertake a comprehensive review of policies and practices in UK Universities that impose a radical gender orthodoxy. This review should recommend new guidance to prevent discrimination against those who recognise that sex is a protected characteristic.

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⁴ <https://sex-matters.org/posts/the-workplace/the-reindorf-review-a-wake-up-call-for-universities/>

⁵ <https://www.essex.ac.uk/blog/staff/posts/2021/07/02/our-commitment-to-our-trans-and-non-binary-community>

⁶ <https://sex-matters.org/posts/the-workplace/gender-studies-and-sexualised-threats/>

⁷ <https://www.consortium.lgbt/ehrc-open-letter/>

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